

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, April 5, 2022**

Council Members M.C. Keegan-Ayer, President; Michael Blue, Vice-President, Jerry Donald, Jessica Fitzwater, Kai Hagen, Phil Dacey and Steve McKay were present for the meeting.

Also present were Ragen Cherney, County Council Chief of Staff; Catherine Keller, Assistant County Attorney; Sarah Ambrosio, Recording Secretary; and Nancy Luna, Executive Assistant, County Council.

Council President M.C. Keegan-Ayer called the meeting to order at 5:30 p.m.

Opening Statement from Council President M.C. Keegan-Ayer

Council President M.C. Keegan-Ayer provided an opening statement at the start of the meeting. Included in that statement was a welcoming to the Legislative meeting for Tuesday, April 5, 2022 and information on how to watch and participate in the meeting. President Keegan-Ayer called roll and a quorum was established for the meeting.

The meeting began with a moment of silence followed by the Pledge of Allegiance.

Action on the Agenda

Council Member Michael Blue moved to approve the agenda as presented. Council Member Jerry Donald seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Public Comment was heard from:

- Richard Kaplowitz
- Mary Casidillo
- T.J. Sheppard

Business Items:

Budget Adjustments

- J-22-241 – Housing & Community Development, Citizens Services Division
- J-22-249 – Engineering & Construction Management, Public Works Division

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Council Member Jessica Fitzwater moved to approve Budget Adjustments J-22-241 and J-22-249 as presented. Council Member Kai Hagen seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Budget Journal - Frederick County's Second Allocation of the American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds and the Estimated Amount of Related Interest Earnings

Lori Depies, Chief Financial Officer, County Executive's Office and Daniel Lewis, Deputy Director, Finance Division provided information to the Council on the Budget Journal – Frederick County's Second Allocation of the American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds and the Estimated Amount of Related Interest Earnings.

Council Member Jessica Fitzwater moved to approve Budget Journal J-22-264 in the amount of \$25,256,981 reflecting Frederick County's second allocation of the ARPA Coronavirus State and Local Fiscal Recovery Funds and the estimated amount of related interest earnings, as presented. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Approval of Minutes from March 29, 2022.

Council Member Jessica Fitzwater moved to approve the minutes from March 29, 2022, as presented. Council Member Jerry Donald seconded the motion that passed 7-0.

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Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Confirmation of County Executive's Appointments to the Frederick County Boards and Commissions

Joyce Grossnickle, Administrative Officer, briefed the Council on the Confirmation of County Executive's Appointments to Boards and Commissions.

Agriculture Business Council

Council Member Jessica Fitzwater moved to confirm the appointment Brian Sweeney to the Agriculture Business Council to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Domestic Violence Coordinating Council

Council Member Jessica Fitzwater moved to confirm the appointment of Andrew Eckstine, Regional Director of the Division of Parole and Probation, Maryland Department of Public Safety and Corrections and his designee Field Supervisor II Scott Atkins to the Domestic Violence Coordinating Council to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		

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At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Retirement Plan Committee

Council Member Jerry Donald moved to confirm the appointment of John Neary to the Retirement Plan Committee to terms as presented by staff. Council Member Kai Hagen seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Transit Services Advisory Council

Council Member Jessica Fitzwater moved to confirm the appointment of Hongwei Xu to the Transit Services Advisory Council to terms as presented by staff. Council Member Jerry Donald seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Workforce Development Board

Council Member Jerry Donald moved to confirm the appointment of Dr. Molly Carlson to the Workforce Development Board to terms as presented by staff. Council Member Kai Hagen seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		

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District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

State Highway Administration Acquisition - MD 355 Bridge Over Bennett Creek & Declaration of Surplus Property

Council Vice President Michael Blue moved to approve the resolution declaring that the 1.755 acres of Outlot B, Knowledge Farms situated in the Urbana Election District along MD 355, is no longer needed for public purposes and may be disposed of by the County Executive; and that a wetlands mitigation easement in favor of the State Highway Administration may be placed on 10.633 acres of Outlot B and a small portion of Outlot A. Council Member Jessica Fitzwater seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

Surplus Declaration Resolution of Dearbought Parcel

Rick Harcum, Chief Administrative Officer, County Executive's Office, provided information to the Council on the Surplus Declaration Resolution of Dearbought Parcel.

Public Hearing on the Out of Sequence Water and Sewerage Plan Amendment - Quantum Maryland, LLC

Tim Goodfellow, Environmental Planner, Livable Frederick Planning & Design Office, Planning & Permitting Division, provided information to the Council on the Out of Sequence Water and Sewerage Plan Amendment - Quantum Maryland, LLC.

Public Comment was heard from:

- Marietta Stoke

With no additional speakers Vice President Blue closed public comment.

Council Member Donald moved to approve the following amendments in WS 21-28 (1) the reclassification of a 676-acre parcel of land, Parcel 9 on Tax Map 94 from W-5 to W-3; (2) the approval of the water infrastructure mapping requests (depiction of potable

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and cooling-water lines of 16 inches) to the Water Infrastructure Map; and (3) the reclassification from S-5 to S-4, and (4) approval of sewer infrastructure symbol components (pump station, plus 18, 21, 24-inch lines) to the Sewer Infrastructure Map. Council Member Michael Blue seconded the motion that passed 7-0.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 – Donald	X		
District 2 – McKay	X		
District 4 – Fitzwater	X		
District 5 – Blue	X		
At-large – Dacey	X		
At-large – Hagen	X		
Presiding Officer – Keegan-Ayer	X		

The Council took a break from 6:44 p.m. to 7:00 p.m.

Public Hearing:

The Council reconvened at 7:00 pm and Council President Keegan-Ayer re-established a quorum with all members present.

To Consider Bill No. 22-07 – Revisions to the Frederick County Employees Retirement Plan (Ad Hoc Cost of Living Adjustment) – Ad Hoc Cost of Living Adjustment

Council President M.C. Keegan-Ayer presented information on Bill No. 22-07 - Revisions to the Frederick County Employees Retirement Plan (Ad Hoc Cost of Living Adjustment) – Ad Hoc Cost of Living Adjustment.

Public Comment was heard from:

- None

With no additional speakers President Keegan-Ayer closed public comment.

To Consider Bill No. 22-08 – Revisions to the Frederick County Uniformed Employees Retirement Plan (Ad Hoc Cost of Living Adjustment) – Ad Hoc Cost of Living Adjustment

Council President M.C. Keegan-Ayer presented information on Bill No. 22-08 - Revisions to the Frederick County Uniformed Employees Retirement Plan (Ad Hoc Cost of Living Adjustment) – Ad Hoc Cost of Living Adjustment.

Public Comment was heard from:

- None

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With no additional speakers President Keegan-Ayer closed public comment.

To Consider Bill No. 22-09 – Establish a Police Accountability Board

Bryon Black, County Attorney, presented information on Bill No. 22-09 - Establish a Police Accountability Board.

Public Comment was heard from:

- William Reid
- Richard Kaplowitz
- Sea Raven
- Mike Morse
- John Distel
- Jane Tamagna
- Tarolyn Thorsher
- Kris Fair
- Jan Levine
- Watu Mwariama
- Andrew Toms
- Eugene Shephard
- George Kirk
- Mary Astudillo
- Corey Trevorson
- Yewande Olendonde
- Maria Dennis
- Michael O'Connor
- Kavonte Duckett
- Daryl Boffman
- Amalek Diesel Gianna
- Jasmine Di'Cola
- Debra Reynolds
- Judy Boutros
- Jo Hart
- Sebastian Brown
- Jose Gutierrez
- Sister Dramha Hill
- Chaz Packan
- Marilou Barrett
- Carol Antoniewicz
- John Funderburk

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With no additional speakers President Keegan-Ayer closed public comment.

Public Comment was heard from:

- None

Council Member Comments:

Council Member comments were provided.

Council President Keegan-Ayer acknowledged the advisory opinion received from the Open Meetings Compliance Board dated April 4, 2022. Council President summarized the findings of the opinion for members of the public.

Adjourn

The meeting adjourned at 8:57 p.m.

M.C. Keegan-Ayer, President
County Council